



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/435,377	05/05/95	CLERON	M P1525/112007

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LM01/0620

EXAMINER

CALDWELL, F

ART UNIT

PAPER NUMBER

2755

DATE MAILED:

06/20/00

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/435,377

Applicant(s)

CLERON ET AL.

Examiner

Pat Caldwell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1,2,4-8 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1,2,4-8 and 11-16 is/are allowed.
- 6) ☐ Claim(s) 17-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. This action is in response to amendment that was received 4-5-00. Claims 3,9,10, and 20 were canceled. Claims 1, 2,4,7,11,12,17 were amended. Claims 1,2,4-8,11-19 are currently pending.

#### *Allowable Subject Matter*

2. Claims 1,2,4-8,12-16 are allowed.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 17-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Potel et al, "The architecture of the Taligent system", Dr. Dobb's on CD-ROM, Spring 1994.

As per **claim 17**:

Potel et al disclose controlling operations of a computer system with a operating system coupled to a software component architecture layer (**Taligent architecture of extensible software frameworks that are a collection of objects that provide an integrated service**), platform for developing components for operation on a variety of hardware and software computer systems (**frameworks that can be deployed on multiple operating systems and multiple hardware platforms**) and a network

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component layer for creating network navigation components configured and providing a network service (**frameworks, such as file systems, I/O devices, database access, microkernel services and network protocols, that deliver services to the system**) [pp. 1-3 of enclosed copy].

As per **claim 18**:

Potel et al in combination with APA teach extending navigation components (**API which provides interfaces for extensions of frameworks**) [Potel: page 2 of enclosed copy].

As per **claim 19**:

Potel et al in combination with APA teach browsing (**dynamic browsers**) [Potel : page 3 of enclosed copy].

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (APA), pp. 2-8, Potel, "The architecture of the Taligent system", Dr. Dobb's on CD-ROM, Spring 1994 in view of Anderson (US 5,537,526).

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As per **claim 17**:

APA teaches network component layer (**Web services**) for creating a plurality of components and invoking a component to provide network service [pp 2-8].

However, APA does not teach a software component architecture layer and a platform for developing components for operations on a variety of hardware and software computer systems.

Potel et al disclose controlling operations of a computer system with a operating system coupled to a software component architecture layer (**Taligent architecture of extensible software frameworks that are a collection of objects that provide an integrated service**), platform for developing components for operation on a variety of hardware and software computer systems (**frameworks that can be deployed on multiple operating systems and multiple hardware platforms**). [pp. 1-3, 5].

It would have been obvious to modify the system of APA by implementing the limitations discussed above because it provides the capability for extending services across diverse operating systems and hardware platforms.

As per **claim 18**:

APA in combination with Potel et al teach extending navigation components (API which provides interfaces for extensions of frameworks) [Potel: page 2 of enclosed copy].

As per **claim 19**:

APA in combination with Potel et al teach browsing (dynamic browsers) [Potel : page 3 of enclosed copy].

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***Response to Arguments***

7. Applicant's arguments with respect to claims 17-19 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pat Caldwell whose telephone number is 703-305-3805. The examiner can normally be reached on FLEXTIME.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-9052 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

pc  
June 17, 2000

  
MAJID A. BANANKHAH  
PRIMARY EXAMINER